

Attorney Docket No. 175931

Client Reference No. E-167-1997/0-US-07

Date: September 16, 2003

In re Application of: Mitchell et al.
 Application No. 09/424,519
 Filed: March 3, 2000
 For: THE USE OF A NITROXIDE OR A PRODRUG THEREOF IN THE PROPHYLACTIC AND THERAPEUTIC TREATMENT OF CANCER



Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment and Response to Final Office Action in the subject application.

Applicants claim small entity status of this application under 37 CFR 1.27.

Petition for Extension of Time

- Applicants petition for a one-month extension of time under 37 CFR 1.136, the fee for which is \$110.00 (enclosed).
- Applicants believe that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, Applicants hereby petition for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.

No additional claim fee is required.

Other: Declaration Under 37 C.F.R. § 1.132 of James B. Mitchell, Exhibit 1, and return postcard.

The claim fee has been calculated as shown below:

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDITIONAL CLAIM FEE	RATE	ADDITIONAL CLAIM FEE	
TOTAL	40	MINUS	42	=0	x 9=	\$	x 18=	\$0.00
INDEPENDENT	3	MINUS	3	=0	x 42=	\$	x 84=	\$0.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE CLAIM					+ 140=	\$	+ 280=	\$0.00
					TOTAL	\$	TOTAL	\$0.00

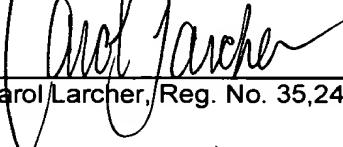
Please charge my Deposit Account No. 12-1216 in the amount of \$ A duplicate copy of this sheet is attached.

A check in the amount of \$ is attached.

The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is attached.

- Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,
 LEYDIG, VOIT & MAYER, LTD.

By 
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